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U.S. DISTRICT COURT E.D.N.Y.
★ JUL 25 2012 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

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UNITED STATES OF AMERICA,

Plaintiff,

ORDER

-against-

09-CV-2983 (NGG) (VVP)

PAULA WHITAKER,

Defendant.

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NICHOLAS G. GARAUFIS, United States District Judge.

On November 18, 2011, this court granted Plaintiff's motion for summary judgment, awarded Plaintiff \$4,034.04, and referred the matter to Magistrate Judge Andrew L. Carter for a report and recommendation ("R&R") on the amount of costs to be awarded to the Plaintiff. (Docket Entry # 8.) Judge Carter directed Plaintiff to file its motion for costs by December 9, 2011. (Order of Nov. 30, 2011.) The matter was subsequently reassigned to Magistrate Judge Victor V. Pohorelsky. (Docket Entry of Dec. 15, 2011.) Plaintiff never filed a motion for costs. Thus, on January 12, 2012, Judge Pohorelsky recommended that Plaintiff not be awarded any costs. (R&R (Docket Entry # 10).)

No party has objected to Judge Pohorelsky's R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). Accordingly, the court reviews the R&R for clear error, see La Torres v. Walker, 216 F. Supp. 2d 157, 159 (S.D.N.Y. 2000); Gesualdi v. Mack Excavation & Trailer Serv., Inc., No. 09-CV-2502 (KAM) (JO), 2010 WL 985294, at *1 (E.D.N.Y. Mar. 15, 2010); cf. 28 U.S.C. § 636(b), and, finding none, ADOPTS the R&R in its entirety, see Porter v. Potter, 219 F. App'x 112, 112-13 (2d Cir. 2007). No costs shall be awarded to the Plaintiff. The Clerk of

Court is directed to close this case.

SO ORDERED.

Dated: Brooklyn, New York
July 23, 2012

s/Nicholas Garaufis

NICHOLAS G. GARAUFIS
United States District Judge